

16086 U.S. PTO
09/17/03

PATENT
Docket No. 20220-501

CERTIFICATE OF MAILING

I hereby certify that on **September 17, 2003**, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

37 C.F.R. § 1.8(a) <input type="checkbox"/> with sufficient postage as first class mail	37 C.F.R. § 1.10 <input checked="" type="checkbox"/> as "Express Mail Post Office to Addressee" Mailing Label No. EL 993617870 US
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Allie Barrett
Allie Barrett

03944 U.S. PTO
10/665785
091703

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY PATENT APPLICATION TRANSMITTAL**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Transmitted herewith for filing is the patent application of inventor(s):

1st Inventor: Robert S. Schwartz
2nd Inventor: Robert A. Van Tassel

For: **LUMENAL VASCULAR COMPLIANCE DEVICE AND METHOD OF USE**

1. Type of Application

This new application is for a(n)

- ☒ Original (non provisional)
- ☐ Design
- ☐ Plant
- ☒ Continuation-in-part (CIP)

2. Benefit of Prior U.S. Application(s) (35 USC §§ 119(e), 120, or 121)

- ☒ The new application being transmitted claims the benefit of the following prior U.S. Provisional applications: (1) U.S. Provisional Patent Application No. 60/412,122 filed September 17, 2002 entitled *Aortic Shock Absorber*, and (2) U.S. Provisional Patent Application No. 60/473,988 filed May 28, 2003 entitled *Aortic Shock Absorber, V.2*. This new application (as a continuation-in-part) also claims benefit of prior co-pending U.S. Application No. 10/192,402 filed July 8, 2002 entitled *Anti-Arrhythmia Devices And Methods Of Use*.

3. Papers Enclosed

A.

<u>26</u>	pages of specification
<u>3</u>	pages of claims
<u>1</u>	pages of abstract
<u>10</u>	sheets of drawings (do not submit original drawings)

(complete the following, if applicable)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 CFR 1.84(b).

B. Other Papers Enclosed

<u>2</u>	Pages of Combined Declaration, Power of Attorney and Petition
<u>1</u>	Credit Card Payment Form

4. Declaration or oath (including power of attorney)

- ☒ Enclosed
☐ executed by inventor(s)

5. Inventorship Statement

Inventorship for all the claims in this application are:

- ☐ The same.

6. Assignment

- ☐ An assignment of the invention to _____
☐ is attached.
☐ executed by inventor(s)
☐ was filed in parent application
☒ will follow.

7. Fee Calculation

A. ☒ Regular application

CLAIMS AS FILED					
Number filed	Number Extra	Rate		Basic Fee 37 CFR § 1.16(a)/	
		Large Entity	Small Entity	Large Entity \$750.00	Small Entity \$375.00
Total Claims (37 CFR § 1.16(c)) = 23	- 20 = 3	x \$18.00 =	x \$9.00 =	27.00	
Independent Claims (37 CFR § 1.16(b)) = 2	- 3 = 0	x \$84.00 =	x \$42.00 =	00.00	
Multiple dependent claims(s), if any (37 CFR § 1.16(d)) = 11		+ \$280.00=		00.00	
Recordation Filing Fee					

- ☐ An amendment canceling extra claims is enclosed.
☐ An amendment deleting multiple-dependencies is enclosed.
☐ The fee for extra claims is not being paid at this time

Filing Fee Calculation \$402.00

- B. ☐ Design application (\$330-37 CFR§1.16(f)) \$
C. ☐ Plant application (\$540-37 CFR§1.16(g)) \$

8. Small Entity Statement(s)

☒ Applicant claims small entity status. See 37 CFR 1.27

9. Fee Payment Being Made at Time

- ☐ Not Enclosed
☐ No filing fee is to be paid at this time.
☒ Enclosed
☒ Filing Fee \$ 402.00

10. Method of Payment of Fees

- ☐ A check in the amount of \$_____ is enclosed.
☒ Credit Card Payment Form is enclosed.
☐ Charge Deposit Account No. 50-2809 in the amount of \$_____
A duplicate of this transmittal is attached.

11. ☐ Request and Certification under 35 USC §122 (b)(2)(B)(i) (Non-publication Request)

12. **Authorization to Charge Additional Fees**

(If no fees are to be paid on filing, the following items should not be completed)

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-2809.
- ☒ 37 CFR§§1.16(a), (f), or (g) (Filing fees)
 - ☒ 37 CFR§§1.16(b), (c), and (d) (presentation of extra claims)
 - ☐ 37 CFR§§1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
 - ☐ 37 CFR§§1.17(a)(1)-(5) (extension fees pursuant to §1.136(a))
 - ☐ 37 CFR§§1.17 (application processing fees)
 - ☐ 37 CFR§§1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR§1.1311(b))

13. **Instructions as to Overpayment**

- ☒ Credit Account No. 50-2809
☐ Refund

14. **Correspondence Address**

- ☒ Customer Number. 37,374
☒ Please direct all future correspondence to the following attorney/address:

INSKEEP INTELLECTUAL PROPERTY GROUP, INC.

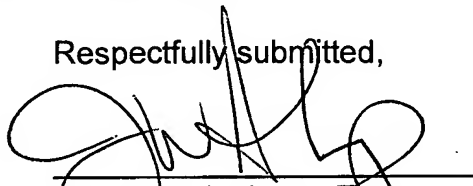
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Respectfully submitted,


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September 17, 2003

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